

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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JOSE PINEDA, JOSE MONTENEGRO, MARCO )  
LOPEZ, and JOSE HERNANDEZ on behalf of )  
themselves and all others similarly situated, )  
Plaintiffs ) C.A. No. 1:16-cv-12217  
v. )  
SKINNER SERVICES, INC. d/b/a SKINNER )  
DEMOLITION, THOMAS SKINNER, DAVID )  
SKINNER, ELBER DINIZ and SANDRO SANTOS )  
Defendants. )  
\_\_\_\_\_  
)

**DEFENDANTS' OBJECTIONS TO PLAINTIFFS' PROPOSED WITNESSES**

Pursuant to Fed. R. Civ. P. 26(a)(3) and Local Rule 16.5, the Defendants hereby assert the following objections to the Plaintiffs' proposed trial witnesses:

| <u>Witness</u>        | <u>Objections</u>                                            |
|-----------------------|--------------------------------------------------------------|
| Jose Pineda           | No objections.                                               |
| Jose Montenegro       | No objections.                                               |
| Marco Lopez           | No objections.                                               |
| Jose Hernandez        | No objections.                                               |
| David Aguilar         | No objections.                                               |
| Brijido Alvarez       | No objections.                                               |
| Wilfredo Arocho       | No objections.                                               |
| Andre Atkins          | FRE 401-402 Relevance<br>FRE 602- Foundation/Pers. Knowledge |
| Luis Benitez          | No objections.                                               |
| Carlos Bermudez Glean | No objections.                                               |
| Juan Cante            | No objections.                                               |
| Ricardo Cante         | No objections.                                               |
| Vidal Cante           | No objections.                                               |
| Richard Capo          | No objections.                                               |
| Frowilan Chacaj       | No objections.                                               |
| Gustavo Coconubo      | No objections.                                               |
| Selvin Contreras      | No objections.                                               |
| Pedro Cordero Soto    | No objections.                                               |
| Noe Cosigua           | No objections.                                               |

|                        |                |
|------------------------|----------------|
| Hesbin Cruz            | No objections. |
| William Cruz           | No objections. |
| Charles Dos Santos     | No objections. |
| Abelino Escobar        | No objections. |
| Vanildo Fernandez      | No objections. |
| Cesar Fortes           | No objections. |
| Dieusel Francis        | No objections. |
| David Frazier          | No objections. |
| Marcos Garcia          | No objections. |
| Cesar Gomes            | No objections. |
| Manuel Goncalves       | No objections. |
| Douglas Henriquez      | No objections. |
| Angel Hernandez        | No objections. |
| Jermone Hodge          | No objections. |
| Martin Lagunes         | No objections. |
| Erick Lopez            | No objections. |
| Jose Lopez             | No objections. |
| Marco A. Lopez         | No objections. |
| Juan Marroquin Vasquez | No objections. |
| Marco Mendez           | No objections. |
| Joao Miranda           | No objections. |
| Edgar Molina           | No objections. |
| Carlos Morataya        | No objections. |
| Gregg Natale           | No objections. |

|                            |                                                             |
|----------------------------|-------------------------------------------------------------|
| Jefry Ochoa                | No objections.                                              |
| Melvin Ochoa               | No objections.                                              |
| Dwayne Paisely             | No objections.                                              |
| Argelio Pedrosa            | No objections.                                              |
| Ruben Pedroza              | No objections.                                              |
| Cristian Perez             | No objections.                                              |
| Elder Antonio Ochoa Pineda | No objections.                                              |
| Carlos Sosa                | No objections.                                              |
| Kevyn B. Tavares           | No objections.                                              |
| Dayshaun Thompson          | No objections.                                              |
| Mario Valenzuela           | No objections.                                              |
| Luis Nunes Velasquez       | No objections.                                              |
| Elmer Veliz                | No objections.                                              |
| Jose Vicente               | No objections.                                              |
| Marconio Pinto             | No objections.                                              |
| Manuel Teixeira            | No objections.                                              |
| Pedro Rodrigues            | No objections.                                              |
| Temi Murray                | No objections.                                              |
| Jon Shocket                | No objections.                                              |
| Michael Drake              | No objections.                                              |
| Kalvin Rodriguez           | No objections.                                              |
| Michelle Forrester         | No objections.                                              |
| Tyla Skinner               | FRE 401-402 Relevance<br>FRE 602-Foundation/Pers. Knowledge |

|                 |                                                                                                                                                                                                         |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Patsy Sperduto  | FRE 401-402 Relevance<br>FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br>FRE 404 – Char. Evid.<br>FRE 602- Foundation/Pers. Knowledge<br>FRE 609 – Improper Impeachment |
| Chris Van       | FRE 401-402 Relevance<br>FRE 602- Foundation/Pers. Knowledge                                                                                                                                            |
| David Breshears | FRE 401-402 Relevance<br>FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br>FRE-702-703<br><br><u>Daubert</u> objections.                                                  |

Respectfully submitted,

**SKINNER SERVICES, INC., d/b/a  
SKINNER DEMOLITION,  
THOMAS SKINNER, DAVID  
SKINNER, ELBER DINIZ and  
SANDRO SANTOS,  
By their attorneys,**

/s/ Michael B. Cole  
Gregory J. Aceto (BBO# 558556)  
aceto@acetolegal.com  
Michael B. Cole (BBO# 679596)  
mcole@acetolegal.com  
**ACETO, BONNER & COLE, P.C.**  
One Liberty Square, Suite 410  
Boston, MA 02109  
(617) 728-0888

Dated: January 12, 2021.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of the court's electronic filing system or by mail to anyone not able to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/s/ Michael B. Cole

Michael B. Cole (BBO No. 679596)

mcole@acetolegal.com

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JOSE PINEDA, JOSE MONTENEGRO, MARCO )  
LOPEZ, and JOSE HERNANDEZ on behalf of )  
themselves and all others similarly situated, )  
Plaintiffs ) C.A. No. 1:16-cv-12217  
v. )  
SKINNER SERVICES, INC. d/b/a SKINNER )  
DEMOLITION, THOMAS SKINNER, DAVID )  
SKINNER, ELBER DINIZ and SANDRO SANTOS )  
Defendants. )  
\_\_\_\_\_  
)

**DEFENDANTS' OBJECTIONS TO PLAINTIFFS' PROPOSED FACT WITNESSES  
WHOSE TESTIMONY MAY BE PRESENTED BY DEPOSITION**

Pursuant to Fed. R. Civ. P. 26(a)(3) and Local Rule 16.5, the Defendants hereby assert the following objections to the Plaintiffs' proposed fact witnesses whose testimony may be presented by deposition:

| <u>Witness</u>                                               | <u>Objections</u>                                                                                                                                  |
|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| Thomas Skinner (Individually and as 30(b)(6) Representative) | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br><br>Reserve the right to further object upon receipt of proposed Deposition Transcript. |
| David Skinner                                                | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br><br>Reserve the right to further object upon receipt of proposed Deposition Transcript. |
| Sandros Santos                                               | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br><br>Reserve the right to further object upon receipt of proposed Deposition Transcript. |
| Elber Diniz                                                  | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br><br>Reserve the right to further object upon receipt of proposed Deposition Transcript. |
| Ubirata Ferreira                                             | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br><br>Reserve the right to further object upon receipt of proposed Deposition Transcript. |
| Brian Fitzgerald                                             | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance                                                                                            |

|                |                                                                                                                                                        |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
|                | Reserve the right to further object upon receipt of proposed Deposition Transcript.                                                                    |
| Edlei V. Gomes | FRCP 32<br><br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br><br>Reserve the right to further object upon receipt of proposed Deposition Transcript. |

Respectfully submitted,

**SKINNER SERVICES, INC., d/b/a  
SKINNER DEMOLITION,  
THOMAS SKINNER, DAVID  
SKINNER, ELBER DINIZ and  
SANDRO SANTOS,  
By their attorneys,**

/s/ Michael B. Cole  
\_\_\_\_\_  
Gregory J. Aceto (BBO# 558556)  
aceto@acetolegal.com  
Michael B. Cole (BBO# 679596)  
mcole@acetolegal.com  
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One Liberty Square, Suite 410  
Boston, MA 02109  
(617) 728-0888

Dated: January 12, 2021.

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I hereby certify that a copy of the foregoing document was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of the court's electronic filing system or by mail to anyone not able to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/s/ Michael B. Cole

Michael B. Cole (BBO No. 679596)

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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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|                                               |   |                        |
|-----------------------------------------------|---|------------------------|
| JOSE PINEDA, JOSE MONTENEGRO, MARCO           | ) |                        |
| LOPEZ, and JOSE HERNANDEZ on behalf of        | ) |                        |
| themselves and all others similarly situated, | ) |                        |
|                                               | ) | C.A. No. 1:16-cv-12217 |
| Plaintiffs                                    | ) |                        |
|                                               | ) |                        |
| v.                                            | ) |                        |
|                                               | ) |                        |
| SKINNER SERVICES, INC. d/b/a SKINNER          | ) |                        |
| DEMOLITION, THOMAS SKINNER, DAVID             | ) |                        |
| SKINNER, ELBER DINIZ and SANDRO SANTOS        | ) |                        |
|                                               | ) |                        |
| Defendants.                                   | ) |                        |
|                                               | ) |                        |

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**DEFENDANTS' OBJECTIONS TO PLAINTIFFS' PROPOSED EXHIBITS**

Pursuant to Fed. R. Civ. P. 26(a)(3) and Local Rule 16.5, the Defendants hereby assert the following objections to the Plaintiffs' proposed trial exhibits:

| <u>Plaintiffs' Proposed Exhibit #</u> | <u>Description</u>                                                                                   | <u>Objections</u>                                                     |
|---------------------------------------|------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| 1.                                    | February 26, 2016, Memorandum from Tom Skinner to Demolition Employees. SK000414-000415.             | No objections.                                                        |
| 2.                                    | September 25, 2015, Memorandum from Dave Skinner to all employees of Skinner Services Inc. SK000412. | FRE 801-802 Hearsay<br>FRE 901-Lack of Auth.<br>FRE 401-402 Relevance |
| 3.                                    | December 13, 2013, Memorandum from David Skinner to All Employees. SK000031.                         | FRE 801-802 Hearsay<br>FRE 901-Lack of Auth.<br>FRE 401-402 Relevance |
| 4.                                    | December 02, 2011, Memorandum to All Skinner Demo Employees. SK004754.                               | FRE 801-802 Hearsay<br>FRE 901-Lack of Auth.<br>FRE 401-402 Relevance |
| 5.                                    | Cintas Rental Program – Skinner Demolition Employee Forms. SK004096-004141.                          | No objections.                                                        |
| 6.                                    | 2013-2014 paper timekeeping and payroll records. SK0001547-4095.                                     | No objections.                                                        |
| 7.                                    | Employee Earnings Record Jan-Dec 2014. SK000424-000545.                                              | No objections.                                                        |
| 8.                                    | ADP Earnings Jan-June 2015. SK000546-000988.                                                         | No objections.                                                        |
| 9.                                    | ADP Earnings Jul-Dec 2015. SK000989-001084.                                                          | No objections.                                                        |
| 10.                                   | Employee Earnings Record Jan 2016-April 2017. SK001085-001420.                                       | No objections.                                                        |

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|-----|-----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11. | Employee Earnings Record April 2017-July 2017. SK1421-1546.                                         | No objections.                                                                                                                                                              |
| 12. | Manual Time Adjustments TimeStation Report. SK004284.                                               | FRE 801-802 Hearsay<br>FRE 901-Lack of Auth.<br>FRE 401-402 Relevance<br><br>Reserve the right to further object upon receipt of proposed exhibit.                          |
| 13. | Employee Activity TimeStation Report. SK004277.                                                     | No objections.                                                                                                                                                              |
| 14. | Skinner Google Calendars. SK5148-5552.                                                              | No objections.                                                                                                                                                              |
| 15. | Skinner SmartSheets Calendars. SK000262-000401, SK4142-4231.                                        | No objections.                                                                                                                                                              |
| 16. | Phone Records Produced by Verizon Wireless.                                                         | FRE 801-802 Hearsay<br>FRE 901-Lack of Auth.<br>FRE 401-402 Relevance<br><br>Reserve the right to further object upon receipt of proposed exhibit.                          |
| 17. | Declarations of Skinner Services Employees. Dkt. Nos. 50-2, 57.                                     | FRE 801-802 Hearsay<br>FRE 901-Lack of Auth.<br>FRE 401-402 Relevance<br>FRE 404 – Char. Evid.<br><br>Reserve the right to further object upon receipt of proposed exhibit. |
| 18. | Report of David Breshears Dkt. No. 326-48.                                                          | FRE 801-802 Hearsay<br>FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br>FRE-702-703<br><br><u>Daubert objections.</u>                        |
| 19. | Documents relied upon by David Breshears in preparing his Report, listed at Dkt. No. 326-48, 54-56. | FRE 801-802 Hearsay<br>FRE 901- Auth<br>FRE 602-Foundation/Pers. Knowledge<br>FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.                  |

|     |                                                                                       |                                                                                                                                            |
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|     |                                                                                       | FRE-702-703<br><br><u>Daubert</u> objections.<br><br>Reserve the right to further object upon receipt of proposed exhibit.                 |
| 20. | Skinner Demolition “About Us” Page as of October 30, 2017. Dkt. No. 326-11.           | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 901- Auth<br><br>Reserve the right to further object upon receipt of proposed exhibit. |
| 21. | Skinner Demolition “About Us” Page as of December 11, 2017. Plaintiff’s Depo. Ex. 24. | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 901- Auth<br><br>Reserve the right to further object upon receipt of proposed exhibit. |
| 22. | Skinner Disposal “About Us” Page as of December 11, 2017. Plaintiff’s Depo. Ex. 25.   | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 901- Auth<br><br>Reserve the right to further object upon receipt of proposed exhibit. |
| 23. | Skinner Demo LinkedIn page as of February 28, 2018. Dkt No. 326-12.                   | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 901- Auth<br><br>Reserve the right to further object upon receipt of proposed exhibit. |
| 24. | David Skinner Facebook page as of January 17, 2018. Dkt. No. 326-14.                  | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 901- Auth<br><br>Reserve the right to further object upon receipt of proposed exhibit. |
| 25. | Skinner Demo Facebook page as of October 30, 2017. Plaintiff’s Depo. Ex. 38.          | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 901- Auth                                                                              |

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|-----|-------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     |                                                                                                             | Reserve the right to further object upon receipt of proposed exhibit.                                                                                                                                                      |
| 26. | Skinner Consulting Inc. Secretary of State Business Entry Summary as of October 16, 2019. Dkt. No. 326-23.  | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 901- Auth<br><br>Reserve the right to further object upon receipt of proposed exhibit.                                                                                 |
| 27. | Skinner Services Inc. Secretary of State Business Entry Summary as of October 16, 2019. Dkt. No. 326-49.    | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 901- Auth<br><br>Reserve the right to further object upon receipt of proposed exhibit.                                                                                 |
| 28. | Skinner Services, LLC Secretary of State Business Entry Summary as of October 16, 2019. Dkt. No. 326-50.    | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 901- Auth<br>FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br><br>Reserve the right to further object upon receipt of proposed exhibit. |
| 29. | Asset Purchase Agreement between JAW Waste Services, Inc. and Skinner Services, LLC.                        | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 901- Auth<br>FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br><br>Reserve the right to further object upon receipt of proposed exhibit. |
| 30. | 155 Shakedown Street LLC Secretary of State Business Entry Summary as of October 16, 2019. Dkt. No. 326-51. | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 901- Auth<br>FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.                                                                              |

|     |                                                                                              |                                                                                                                                                                                                                                                                                 |
|-----|----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     |                                                                                              | Reserve the right to further object upon receipt of proposed exhibit.                                                                                                                                                                                                           |
| 31. | Affidavit of David Skinner filed in the Whitney matter on February 28, 2014. Dkt. No. 344-7. | <p>FRE 801-802 Hearsay<br/> FRE 401-402 Relevance<br/> FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.</p> <p>Reserve the right to further object upon receipt of proposed exhibit.</p>                                                            |
| 32. | Declaration of Thomas Skinner dated August 18, 2018. Dkt. No. 50-1.                          | <p>FRE 801-802 Hearsay<br/> FRE 401-402 Relevance</p> <p>Reserve the right to further object upon receipt of proposed exhibit.</p>                                                                                                                                              |
| 33. | Affidavit of Patsy Sperduto dated July 29, 2019. Dkt. No. 326-25.                            | <p>FRE 801-802 Hearsay<br/> FRE 401-402 Relevance<br/> FRE 901- Auth<br/> FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br/> FRE 602-Foundation/Pers. Knowledge</p> <p>Reserve the right to further object upon receipt of proposed exhibit.</p> |
| 34. | Affidavit of Patsy Sperduto dated September 3, 2019. Dkt. No. 326-27.                        | <p>FRE 801-802 Hearsay<br/> FRE 401-402 Relevance<br/> FRE 901- Auth<br/> FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br/> FRE 602-Foundation/Pers. Knowledge</p> <p>Reserve the right to further object upon receipt of proposed exhibit.</p> |

|     |                                                                                                |                                                                                                                                                                                     |
|-----|------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 35. | Affidavit of Laura A. O'Toole dated August 27, 2019. Dkt. No. 326-28.                          | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 901- Auth<br>FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br>FRE 602-Foundation/Pers. Knowledge |
| 36. | Declaration of Sandro Santos dated November 13, 2019. Dkt. No. 344-1.                          | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit.                                                               |
| 37. | Declaration of David Skinner dated November 13, 2019. Dkt. No. 344-2.                          | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit.                                                               |
| 38. | Declaration of Thomas Skinner dated November 15, 2019. Dkt. No. 344-12.                        | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit.                                                               |
| 39. | Transcript of the November 28, 2017, deposition of Thomas Skinner.                             | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit.                                                    |
| 40. | Transcript of the September 20, 2018, deposition of Thomas Skinner as 30(b)(6) Representative. | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit.                                                    |
| 41. | Transcript of the March 5, 2018, deposition of David Skinner.                                  | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance                                                                                                                             |

|     |                                                                                     |                                                                                                                                  |
|-----|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
|     |                                                                                     | Reserve the right to further object upon receipt of proposed exhibit.                                                            |
| 42. | Transcript of the January 19, 2018, deposition of Sandro Santos.                    | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 43. | Transcript of the December 12, 2017, and March 26, 2018, deposition of Elber Diniz. | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 44. | Transcript of the March 20 and 28, 2018, deposition of Edlei Gomes.                 | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 45. | Transcript of the December 7, 2017, deposition of Ubirata Ferreira.                 | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 46. | Transcript of the October 30, 2018, deposition of Brian Fitzgerald.                 | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 47. | Transcript of the June 29, 2018, deposition of Manuel Goncalves.                    | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance                                                                          |

|     |                                                                                   |                                                                                                                                  |
|-----|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
|     |                                                                                   | Reserve the right to further object upon receipt of proposed exhibit.                                                            |
| 48. | Transcript of the August 24, 2018, deposition of Cesar Fortes.                    | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 49. | Transcript of the August 23, 2018, deposition of Richard Capo.                    | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 50. | Transcript of the July 9, 2018, deposition of Gustavo Coconubo.                   | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 51. | Transcript of the August 28, 2018, deposition of David Frazier.                   | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 52. | Transcript of the December 5, 2017, and June 12, 2018, deposition of Jose Pineda. | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 53. | Transcript of the June 22, 2018, deposition of Jose Vicente.                      | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance                                                                          |

|     |                                                                     |                                                                                                                                  |
|-----|---------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
|     |                                                                     | Reserve the right to further object upon receipt of proposed exhibit.                                                            |
| 54. | Transcript of the June 8, 2018, deposition of Dieusel Frances.      | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 55. | Transcript of the January 23, 2018, deposition of Jose Hernandez.   | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 56. | Transcript of the December 14, 2017, deposition of Marco Lopez.     | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 57. | Transcript of the June 21, 2018, deposition of Juan Vasquez.        | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 58. | Transcript of the June 9, 2018, deposition of Marco Mendez.         | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 59. | Transcript of the November 20, 2017, deposition of Jose Montenegro. | FRCP 32<br>FRE 801-802 Hearsay<br>FRE 401-402 Relevance                                                                          |

|     |                                                                                                                        |                                                                                                                                                                                                                                                 |
|-----|------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     |                                                                                                                        | Reserve the right to further object upon receipt of proposed exhibit.                                                                                                                                                                           |
| 60. | Transcript of the Contempt Hearing held on October 26, 2018, November 7, 2018, and November 13, 2018.                  | <p>FRE 801-802 Hearsay<br/> FRE 401-402 Relevance<br/> FRE 404 – Char. Evid.<br/> FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.</p> <p>Reserve the right to further object upon receipt of proposed exhibit.</p> |
| 61. | Termination Notice from Michelle Forrester to Manuel Goncalves, August 24, 2018.                                       | <p>FRE 801-802 Hearsay<br/> FRE 401-402 Relevance<br/> FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br/> FRE 404 – Char. Evid.</p> <p>Reserve the right to further object upon receipt of proposed exhibit.</p> |
| 62. | Memo regarding Manuel Goncalves by Michelle Forrester, August 24, 2018.                                                | <p>FRE 801-802 Hearsay<br/> FRE 401-402 Relevance<br/> FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br/> FRE 404 – Char. Evid.</p> <p>Reserve the right to further object upon receipt of proposed exhibit.</p> |
| 63. | Letter of Verbal Warning to Manuel Goncalves dated March 9, 2018, as introduced at the Contempt Hearing as Exhibit 39. | <p>FRE 801-802 Hearsay<br/> FRE 401-402 Relevance<br/> FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br/> FRE 404 – Char. Evid.</p> <p>Reserve the right to further object upon receipt of proposed exhibit.</p> |
| 64. | Defendant Skinner Services, Inc.'s Answers to Plaintiffs' First Set of Interrogatories.                                | <p>FRE 801-802 Hearsay<br/> FRE 401-402 Relevance</p>                                                                                                                                                                                           |

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|     |                                                                                 | Reserve the right to further object upon receipt of proposed exhibit.                                                 |
| 65. | Defendant Thomas Skinner's Answers to Plaintiffs' First Set of Interrogatories. | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 66. | Defendant David Skinner's Answers to Plaintiffs' First Set of Interrogatories.  | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 67. | Defendant Sandro Santos's Answers to Plaintiffs' First Set of Interrogatories.  | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 68. | Defendant Elber Diniz's Answers to Plaintiffs' First Set of Interrogatories.    | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 69. | Defendant Skinner Services, Inc.'s Responses to Special Interrogatories.        | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 70. | Defendant Thomas Skinner's Response to Special Interrogatories.                 | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |

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| 71. | Defendant David Skinner's Response to Special Interrogatories.                                  | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 72. | Defendant Sandro Santos's Responses to Special Interrogatories.                                 | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 73. | Defendant Elber Diniz's Responses to Special Interrogatories.                                   | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 74. | Plaintiff Jose Pineda's Answer to Defendant Skinner Services' First Set of Interrogatories.     | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 75. | Plaintiff Jose Montenegro's Answer to Defendant Skinner Services' First Set of Interrogatories. | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 76. | Plaintiff Marco Lopez's Answer to Defendant Skinner Services' First Set of Interrogatories.     | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 77. | Plaintiff Jose Hernandez's Answer to Defendant Skinner Services' First Set of Interrogatories.  | FRE 801-802 Hearsay<br>FRE 401-402 Relevance                                                                          |

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|     |                                                                                                                    | Reserve the right to further object upon receipt of proposed exhibit.                                                                                                                                                                                                           |
| 78. | Opt-in Plaintiffs' Answers to Defendant Skinner Services' First Set of Interrogatories.                            | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit.                                                                                                                                                           |
| 79. | Application for Criminal Complaint as to David N Skinner Jr., Application No. 13-1260.                             | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br>FRE 404 – Char. Evid.<br>FRE 609-Improper Impeachment<br>FRE 901-Auth.<br>Reserve the right to further object upon receipt of proposed exhibit. |
| 80. | Excerpts from Defendant Skinner Services, Inc.'s Supplemental Answers to Plaintiffs' First Set of Interrogatories. | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>Reserve the right to further object upon receipt of proposed exhibit.                                                                                                                                                           |
| 81. | Excerpts from Plaintiff Lopez's Text Messages. SP 497-512.                                                         | FRE 801-802 Hearsay<br>FRE 901 Auth.<br>Reserve the right to further object upon receipt of proposed exhibit.                                                                                                                                                                   |
| 82. | EEOC Charge and Probable Cause Determination, SP 00584-00585, 00594, 00644-00645.                                  | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br>FRE 404 – Char. Evid.<br>FRE 901-Auth.                                                                                                          |

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|     |                                                                                                                                                                                        | Reserve the right to further object upon receipt of proposed exhibit.                                                                                                                                                                                        |
| 83. | Department of Labor – Personal Interview Statements, SP 12096-12097, 12116-12119, 12122-12123, 12135-12136, 12139-12143, 12148-12152, 12155-12159.                                     | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br>FRE 404 – Char. Evid.<br>FRE 901-Auth.<br><br>Reserve the right to further object upon receipt of proposed exhibit.          |
| 84. | Documents related to Attorney General's investigation into Skinner Services, SP04523-04929.                                                                                            | FRE 801-802 Hearsay<br>FRE 401-402 Relevance<br>FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br>FRE 404 – Char. Evid.<br>FRE 901-Auth.<br><br>Reserve the right to further object upon receipt of proposed exhibit.          |
| 85. | Discipline Issued to Plaintiffs Lopez, Gonzalez, Hernandez, and Pineda. SK000006, 000009, 000011-000012, 000014-000016, 000028, 000033, 000416-000419, 004813; Plaintiff Depo. Ex. 63. | No objections.                                                                                                                                                                                                                                               |
| 86. | Chalk(s) summarizing Defendants' payroll, calendars, and timekeeping records pursuant to inter alia FRE 1006.                                                                          | FRE 801-Hearsay<br>FRE 401-402 Relevance<br>FRE 901- Auth<br>FRE 403-Unfair Prejudice, confusing, misleading, needless presentation, etc.<br>FRE 602-Foundation/Pers. Knowledge<br><br>Reserve the right to further object upon receipt of proposed exhibit. |

Respectfully submitted,

**SKINNER SERVICES, INC., d/b/a  
SKINNER DEMOLITION,  
THOMAS SKINNER, DAVID  
SKINNER, ELBER DINIZ and  
SANDRO SANTOS,  
By their attorneys,**

/s/ Michael B. Cole  
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Dated: January 12, 2021.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of the court's electronic filing system or by mail to anyone not able to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

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